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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 TRAVIS WILLIAM COLEMAN,

11 Petitioner,

12 v.

13 PATRICK GLEBE,

14 Respondent.

CASE NO. C14-0050JLR

ORDER GRANTING IN PART
AND DENYING IN PART
PETITIONER'S MOTION FOR
AN EXTENSION OF TIME

15 Before the court is *pro se* Petitioner Travis William Coleman's motion for an
16 extension of time in which to file his objections to the April 1, 2015, Report and
17 Recommendation of Magistrate Judge Mary Alice Theiler. (Mot. (Dkt. # 36).) The court
18 has considered Mr. Coleman's motion, the applicable law, and the balance of the record.
19 Being fully advised, the court grants in part and denies in part Mr. Coleman's motion.

20 On April 1, 2015, Magistrate Judge Mary Alice Theiler submitted a Report and
21 Recommendation recommending that the court deny Petitioner Travis William
22 Coleman's 28 U.S.C. § 2254 habeas corpus petition. (R&R (Dkt. # 35).) Mr. Coleman's

1 objections to Magistrate Judge Theiler's Report and Recommendation are currently due
2 on April 15, 2015. (*See id.* at 29 ("Objections to this Report and Recommendation, if
3 any, should be filed with the Clerk and served upon all parties to this suit within fourteen
4 (14) days of the date on which this Report and Recommendation is signed.").)

5 On April 6, 2015, Mr. Coleman timely filed his present motion for an extension of
6 time in which to file his objections. (*See Mot.*) Mr. Coleman seeks a 47-day extension of
7 his deadline for filing objections. (*Id.* at 1.) A 47-day extension would make his
8 objections due on June 1, 2015. (*See id.*) Mr. Coleman states that he needs the extension
9 because he is pursuing this matter *pro se*, is not trained in the law, and is trying to
10 navigate a complex area of the law. (*Id.* at 1-2.) Mr. Coleman states that this is "the first
11 extension [he] has requesting [sic] surrounding this filing." (*Id.* at 1.) However, the
12 present motion is Mr. Coleman's fourth request for an extension of time with respect to
13 some aspect of his present 28 U.S.C. § 2254 habeas corpus petition. (Dkt. ## 17, 23, 32,
14 36.)

15 Under Federal Rule of Civil Procedure 6(b), the court ordinarily may extend a
16 deadline for "good cause" if the request is made before the original time or an extension
17 of the original time expires. Fed. R. Civ. P. 6(b)(1)(A). Here, Mr. Coleman has made his
18 request for an extension of time to file his objections prior to the original deadline. Thus,
19 the court considers his motion under the "good cause" standard of Rule 6(b)(1)(A).

20 The court recognizes that Mr. Coleman is acting *pro se* and finds that he has
21 established "good cause" for an extension of time to file his objections to Magistrate
22 Judge Theiler's Report and Recommendation. The court, however, does not find "good

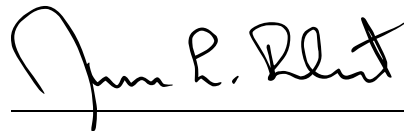
1 cause” for the length of the extension that Mr. Coleman requests. Forty-seven (47) days
 2 represents a longer extension of time than Mr. Coleman has requested in any of his
 3 previous motions seeking relief from deadlines. (*See* Dkt. ## 17 (requesting 45 extra
 4 days to file a response to Respondent’s motion to dismiss), 23 (requesting 30 extra days
 5 to respond to Respondent’s objections to Magistrate Judge Theiler’s first Report and
 6 Recommendation concerning Respondent’s motion to dismiss), 32 (requesting 36 days to
 7 file a response to Respondent’s answer to Mr. Coleman’s habeas petition).) Further,
 8 although Mr. Coleman states that he needs more time due to his *pro se* status and the
 9 complexity of the legal issues, he does not explain why an extension of such length is
 10 necessary.

11 The court has thoroughly reviewed the record and finds that a three-week or 21-
 12 day extension of time is sufficient to enable Mr. Coleman to respond to Magistrate Judge
 13 Theiler’s Report and Recommendation and to file any objections thereto, if appropriate.¹
 14 Accordingly, the court GRANTS in part and DENIES in part Mr. Coleman’s motion for
 15 an extension of time (Dkt. # 36). Specifically, the court grants Mr. Coleman an extension
 16 of time to file his objections to Magistrate Judge Theiler’s Report and Recommendation,
 17 but denies his request for a 47-day extension. Instead, the court grants Mr. Coleman a

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 20 ¹ If Mr. Coleman can provide “good cause” as to why he would need more than three
 21 additional weeks, or 21 days, to file his objections to Magistrate Judge Theiler’s Report and
 22 Recommendation, then he may file an additional motion with the court explaining those
 circumstances. To be considered under the “good cause” standard of Rule 6(b)(1)(A), however,
 Mr. Coleman must file any such motion prior to May 6, 2015. If such a motion is filed after that
 date, then the court will consider it under the “excusable neglect” standard found in Rule
 6(b)(1)(B). *Compare* Fed. R. Civ. P. 6(b)(1)(A) *with* Fed. R. Civ. P. 6(b)(1)(B).

1 21-day extension. The court further DIRECTS Mr. Coleman to file and serve his
2 objections, if any, to Magistrate Judge Theiler's Report and Recommendation no later
3 than May 6, 2015. Respondent may file a response to Mr. Coleman's objections within
4 fourteen (14) days after Mr. Coleman's service of any objections.

5 Dated this 14th day of April, 2015.

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8 JAMES L. ROBART
9 United States District Judge
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